#### **INVESTIGATIVE REPORT:**

This report pertains to an investigation of the identification of the burial location, or headstone markings, of a member of the Canadian Expeditionary Force (CEF) during the Great War 1914-1921.

#### SUBMITTED TO:

CWGC Canadian Agency
66 Slater Street
Suite 1707
Ottawa Ontario Canada K1A 0P4

Att: **Dominique Boulais** 

Report Date: 4 October 2016

**Reason for Submission:** ("X" means purpose of the report)

Casualty Identification:		Burial Information:	
Confirmed Identity	X	Burial Location Identified	Х
Most Probable Identity		Grave Stone Correction	
Questionable Identity		Grave Records Correction	
Incorrect Identity		Request for CWGC Details	
Christie Case File	X	Other	

**Supporting Documents:** (# refers to attachment number; "I" information provided)

Casualty Identification:		Burial Information:	
Clayton, Edward Reginald	i	Tyne Cot Cemetery	<u>link</u>
85 <sup>th</sup> Battalion	i	West-Vlaanderen, Belgium	i
Captain	i	Plot 16 Row A Grave 4	i
30 October 1917	<u>link</u>	Exhumation 10-12-1919	i
Attestation Papers	n/a	Cemetery Schematic	l <u>ink</u>
Service Record	<u>link</u>	Graves Registration Report	7
Circumstance of Death	1	Concentration of Grave	8
CEF Canada Register	2	Headstone Register	9
War Diary Extract(s)	3	Casualty Spreadsheet	
Area Map(s)	4	Trench Map Exhumation	
Trench Map(s)	5	Grave Stone Photograph	
Possible Candidates List	6	Grave Stone Inscription	
Excluded Candidates List		Memorial Inscription/Photo	10
Other		Reporting and Review	11

#### **Summary of Findings:**

The Graves Registration Report form for Plot 16 Row A Grave 4 lists an Unknown Canadian Captain of the 85<sup>th</sup> Battalion. The identification of this Officer is reported by Norm Christie in Sacred Places, Volume 1 Page 198 (<u>CEF Books</u>). It appears that the author did not file an official report on this case. Our independent investigation has confirmed the findings as reported. The only Captain that meets all the criteria is Captain Edward Reginald Clayton, "C" Coy, 85<sup>th</sup> Battalion CEF.

### **Details of Findings:**

The findings are conclusive that the remains in Plot 16 Row A Grave 4 are those of Captain Edward Reginald Clayton who was commanding "C" Company of the 85<sup>th</sup> Infantry Battalion when he was killed in the advance on Vienna Cottage on 30 October 1917.

The findings are based on the following:

- 1. The *Circumstance of Death* report for Captain Edward Reginald Clayton states that he was killed in action in the attack south of Passchendaele on 30 October 1917 (*Attachment #1*).
- 2. The E-123 War Graves Register records that Captain Clayton was killed in action on 30 October 1917 and that there was no information as to his burial a late as 2 October 1922. As such, his name was inscribed on the Menin Gate Memorial (*Attachment #2*).
- 3. The War Diary of the 85<sup>th</sup> Canadian Infantry Battalion provides details of the operation southwest of Passchendaele during which Captain Clayton was killed. There is a specific reference in the war diary of the death of Captain Clayton commanding "C" Company. His death is reported in the initial phase of the attack as the company pushed forward. It is reported that the men "had hardly gotten clear of the tapes before they were met with heavy machine gun and rifle fire from the direction of the enemy front line all along our front and from a portion of Decline Copse south of the railway, and from machine guns in the vicinity of D.18.a.8.6" (Attachment #3).
- 4. The location of the 85<sup>th</sup> Battalion is shown in the vicinity of Vienna Cottage and north of Decline Copse, as referenced in the War Diary noted above. This is as detailed in the extract of Map 9 from Nicholson's "Official History of the Canadian Army Canadian Expeditionary Force 1914-1919" (*Attachment #4*).
- 5. The precise location of the death of Captain Clayton is noted on a period trench map of the area covering the green square in the area map. For reference, the village of Tyne Cot is at 28.D.17.a.2.1, Decline Copse is at 28.D.18.7.6 and Vienna Cottage is at 28.D.12.2.1. The enemy fire that killed Captain Clayton would have been coming from the northeast in Sector 28.D.12 and from the southeast in Sector 28.D.18. Captain Clayton would have been killed near the front lines in Sector 28.D.16 (*Attachment #5*).
- 6. A review of the database of the CWGC that has been assembled for all individuals listed on the Ypres (Menin Gate) Memorial shows Captain Clayton of the 85<sup>th</sup> Canadian Infantry Battalion. He is the only Captain of that battalion that is reported not to have a known grave. As such, there are no other candidates for the remains identified in Plot 16 Row A Grave 4 (*Attachment #6*).
- 7. The *Graves Registration Report* from the CWGC archives states clearly that the remains in Plot 16 Row A Grave 4 are those of an Unknown Canadian Captain of

the 85<sup>th</sup> Battalion. The correction of the battalion from the 83<sup>rd</sup> to 85<sup>th</sup> is confirmed, as the 83<sup>rd</sup> Battalion did not serve as an active unit. Also reported on the GRRF are <u>Private Horobin #147385</u> (H.Q. Runner) of the 78<sup>th</sup> Battalion and <u>Private Leslie #133253</u> (Brigade Runner), reported incorrectly as 13<sup>th</sup> Battalion as he was also 85<sup>th</sup> Battalion with Captain Clayton (Attachment #7). The 78<sup>th</sup> Battalion was on the left flank (north) of the 85<sup>th</sup> Battalion when Private Horobin was KIA on 30 October 1917.

- 8. The Concentrations of Graves (Exhumations and Reburials Burial Return shows that Horobin, Leslie and the Unknown Captain were all exhumed from the same location at the grid reference 28.D.16.b.60.30 (Attachment #8). The finding of Leslie in the same location is confirmation of the presence of the 85<sup>th</sup> Battalion at that location. The exhumation location, as plotted on a trench map of the area shows the men to be where they would have been expected to have been recovered. Battalion Headquarters was at 28.D.16.d.5.5 and moved forward to 28.D.17.b.25.80.
- 9. The Comprehensive Report of Headstone Inscriptions from the CWGC archives does not record any entry for Plot 16 Row A Grave 4. It does, however, show that the entry for Private Leslie was amended to read 85<sup>th</sup> Bn. Canadian Infantry (Attachment #9). The entries for the Unknown British Soldiers in 16.A.1 and 16.A.14, as well as the Unknown Australian Soldier in 16.A.9 are also blank.

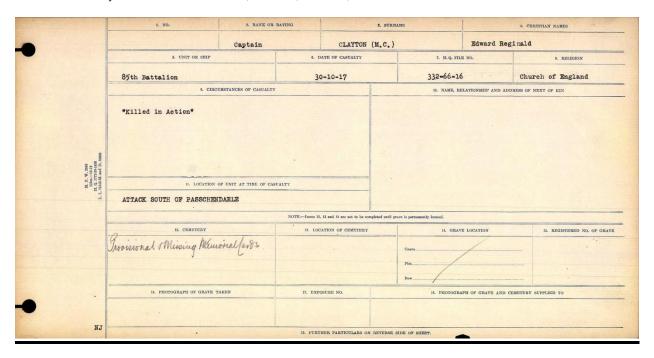
#### **Action Required:**

The "Investigative Report" has been prepared in accordance with the procedures and criteria set out by the CWGC, should they wish to make any changes to the commemoration details (Attachment #10).

As noted previously, the identification of the remains of Captain Clayton have previously been reported by Norm Christie. It is our belief that a formal report of these findings was not submitted at that time. Our independent review of the case agrees with the findings of Mr. Christie.

The evidence is conclusive that the remains in Plot 16 Row A Grave 4 in the Tyne Cot Cemetery are those of Captain Edward Reginald Clayton of the 85<sup>th</sup> Infantry Battalion, killed in action on 30 October 1917 in the area southwest of Passchendaele, Belgium.

Ancestry.com. Canada, War Graves Registers (Circumstances of Casualty), 1914-1948 [database online]. Provo, UT, USA: Ancestry.com Operations, Inc., 2010.Original data: War Graves Registry: Circumstances of Death Records. Record Group 150, 1992–1993/314, Boxes 145–238. Library and Archives Canada. Ottawa, Ontario, Canada. War Graves Ledger Books. RG 150, 1992-93/314, vols. 239–302. Library and Archives Canada, Ottawa, Ontario, Canada.



Ancestry.com. Canada, CEF Commonwealth War Graves Registers, 1914-1919 [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2010. Original data: War Graves Registry: Circumstances of Death Records; (RG150, 1992-1993/314, Boxes 39-144); Library and Archives Canada, Ottawa, Ontario.

	PORM E13. 9758 = 10M - 46-17.  NUMBER	Captain  RANK Lions NAME  Lions NEXT-OF-KIN—	332-66 CLAYTON. E.R.	(M.C.) AUTHORITY ON.
	DATE OF DEATH	CAUSE AND F	PLACE OF DEATH	CAS. SHEET NO.
	30-10-17.	Reported from base, Kil Change	lled in action. in Rank.	No.824. 856.
X	DATE OF BURIAL	PLACE OF BURIAL	Descr	RIPTION OF GRAVE.
			GATE ORIAL	6-16. by GRG=

Library and Archives Canada: War Diaries of the First World War. Available as (1) ArchivaNet: On-Line Research Tool, or (2) War Diaries of the First World War.

> Major P.W. Anderson, the Second-in-Command, reported at Battn. Edgre that the assembly had been successfully completed, and discussed with the Commanding Officer the possible ways in which the Reserve Commany ("D" Company) might be used during the attack. Anderson's instructions were that if, as the attack developed, it became evident to him that a portion of the advance needed assistance at once and that the delay in communicating this to Battn. Edgra. would be prejudicial to the success of the operation, he was at liberty to throw in one or two plateons or his whole Company. The Commanding Officer told him that he had absolute confidence in his judgment and would take full responsibility for whatever action he might take. It was pointed out that at the critical moment of an attack reinforcements that arrived at once were a hundred times more valuable than those which might arrive ten mimutes later. Hejor inderson expressed his approval of the instructions that he received, and it was pointed out that it was not desired to engage "D" Company unless absolutely necessary, as it was hoped to use it to repel the counter-attacks which were expected camthe vicinity of HILL 13 CHETRAL.

For the attack the Companies were aligned on the tapes as

follows:- "B" Company - In three waves: No.8 Platoon on the left of the front wave and half of No.6 on the right. No.7 Platoon behind No.8, with the second half of No.6 on the right, behind the first half of No.6. No.5 Platoon formed the reserve and third wave.

"C" Company - in two waves: Nos.9 & 10 in front from right to left. Second wave, Nos.11 & 12, from right to left; both waves in two lines.

"A" Company - in three waves: No.4 Platoon in front, No.5 next, and - in the third wave - Nos.2 & 1, from right to left.

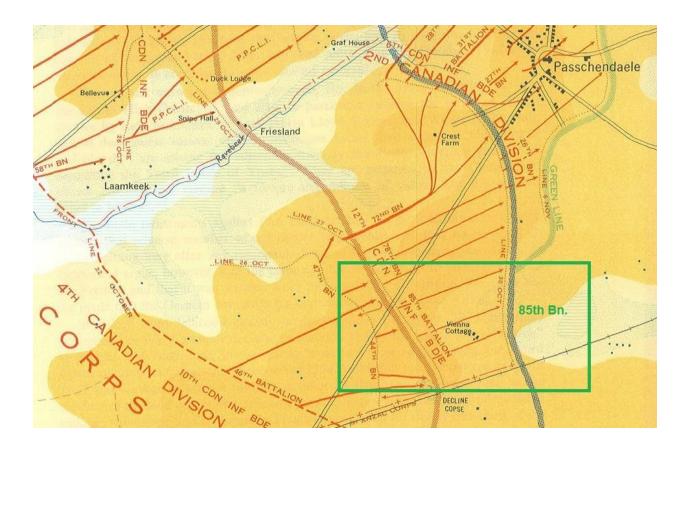
At Zero hour the first sound heard was the Brigade machine guns. On this, all Companies pushed forward. They had hardly gotten clear of the tages before they were not by heavy machine-gun and rifle fire from the direction of the enemy front line all the way along our front and from a portion of ENGLINE COPES South of the Bailway, and from machine guns in the vicinity of D.18.8.6.6. Mine Officers at once became cammalties, including two of the Company Commanders, (Capt.Hensley, commanding "A" Company, and Capt.Clayton, commanding "C" Company), both of whom were instantly killed. At Zero hour the first sound heard was the Brigade machine

This machine-gun and rifle fire was taking place while our barrage was supposed to be playing on the enemy's front line. There was a continuous sheet of mechine gun bullets, and it is the opinion of all who took part in the attack that the first barrage on the 85th Bn's front was not only very light, but that very little, if any, of it fell on our side or on the enemy's trench.

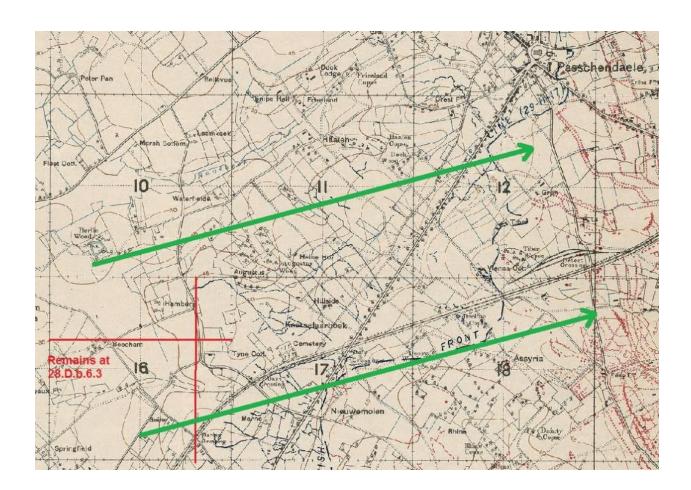
The three Companies advanced, providing their own covering fire with rifle-grenades, Lewis guns and rifle fire until they had passed our old front line. Then, in No Man's Lond a fierce fire fight took place. The rear waves pushed up and got their Lewis gums into action, while the rifle-grandiers barraged the enemy's front line, which was quite evident and could plainly be seen, strongly manned by the enemy. The line was drawn closer and closer to the enemy by the men jumping from shell-hole to shell-hole, but anyone who attempted to walk upright instantly became a casualty. There were several instances of this, one in particular, being Sergt. Ruston, of "A" Company, who a rang to his feet, waved his arms over his head, shouted: "Come on, "A" Company", made direct for the nest of machine-guns in front - and fell dead.

The fire fight continued for, some may ten minutes, and some may, half an hour. Hajor Anderson, who was in commend of the Reserve Company, which was now in the old front line, gave instructions to his two plateons on the left to get ready to roinforce. He personally led them; and snother plateon, which was in the vicinity of "B" Company's loft flank, on its own initiative

Official History of the Canadian Army in the First World War. Canadian Expeditionary Force 1914-1919. Col. G. W. L. Nicholson. Queens Printer and Controller of Stationary. Ottawa Canada 1962. (Nicholson Matrix Utility Digital Source by the Canadian Expeditionary Force Study Group).



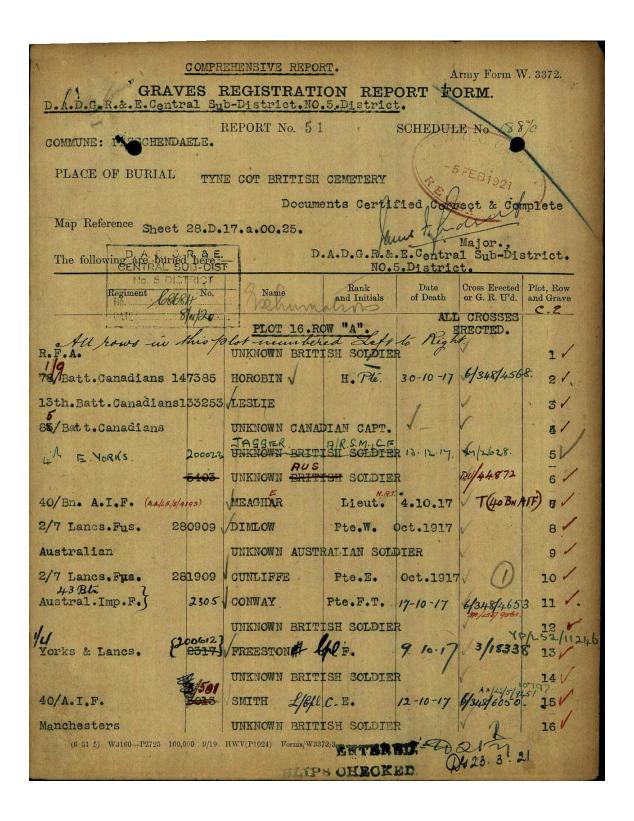
The National Archives British Trench Map Atlas .Passchendaele Edition 9A Map wo297\_0721 Trenches Corrected 5 December 1917. Naval and Military Press, Uckfield, West Sussex, United Kingdom.



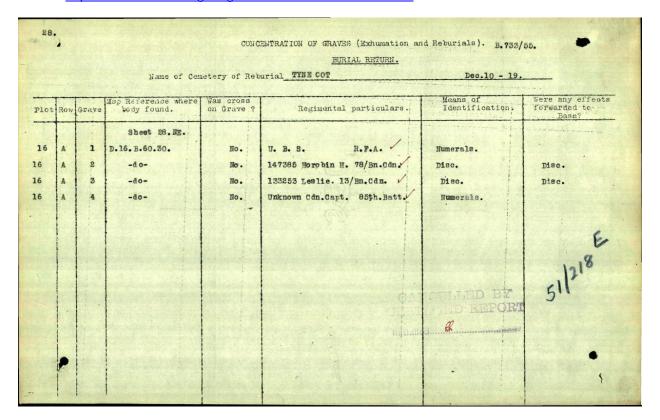
Spreadsheet of CEF Captains on Ypres (Menin Gate) Memorial prepared by Richard Laughton.

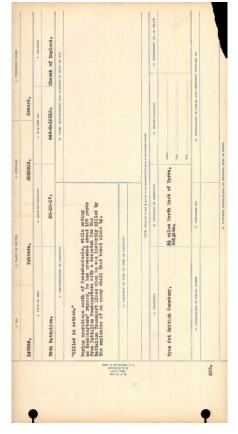
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1 surname	forename	initials	H&A	death	rank	unit 1	unit 2	Binder	Topic	Grave Location
2 NASMYTH	Operandor spinor	ЛŢ		22-04-15	2 Captain	10th Bn.				
3 РОТТ	FRANK	ш		22-04-15	2 Captain	10th Bn.				NRB St. Julien - Langemark
4 WALLACE		HAC		22-04-15	2 Captain	10th Bn.				
5 WHITEHEAD	LIONEL WARD	ΓM		22-04-15	2 Captain	13th Bn.				NRB Langemark sector
6 BASTEDO	ALFRED CARBURT	AC		23-04-15	2 Captain	1st Bn.			13428	Pilckem Village 28.C.20.b.6.2
7 GLOVER	JOHN DONALD	JD	MID	23-04-15	2 Captain	4th Bn.				
8 GORDON	WALTER LESLIE LOCKHART	T W L L		23-04-15	2 Captain	2nd Bn.				St. Julien - Langemark
9 MERRITT		CM	MID	23-04-15	2 Captain	16th Bn.				
10 RYERSON	GEORGE CROWTHER	29		23-04-15	2 Captain	3rd Bn.				
11 CULLING		EC		24-04-15	2 Captain	2nd Bn.				retiring from St. Julien
12 DANIELS	ALBERT MURDOCH	AM		24-04-15	2 Captain	15th Bn.				vicinity of St. Julien
13 FLEMING	HAMILTON MAXWELL	H		24-04-15	2 Captain	16th Bn.				
14 GEDDES	NHOI	1		24-04-15	2 Captain	16th Bn.				
15 McGREGOR	JAMES HERRICK	ЭН		24-04-15	2 Captain	16th Bn.				
16 ROSS		н 5		24-04-15	2 Captain	16th Bn.				
17 LEES	GERALD OSCAR	0.5		25-04-15	2 Captain	13th Bn.				
18 IRWIN	De WITT OSCAR	De W O		28-04-15	2 Captain (Hon.)	Y.M.C.A.				
19 DENNISON	HARRY STUART	HS		08-05-15	2 Captain	PPCLI			13813	Bellewaerede Lake - Steve says NO! agreed
20 SYMONS	JOHN HANNAFORD	Н		02-06-16	2 Captain	4th CMR				NRB but would be Mount Sorrel
21 FISHER	EDWIN MAURICE	EM		03-06-16	2 Captain	10th Bn.				Maple Copse, buried near Railway Dugouts 200 yds rear Armagh House
22 LEWIS	SPENCER HERBERT	SH		05-06-16	2 Captain	1st CMR				ST. Lawrence Camp NRB
23 McNAUGHTON	PETER	d.		05-06-16	2 Captain	49th Bn.				Buried in Sanctuary Wood - wood cross
24 MILNE	JOHN CLARENCE	J.C		06-06-16	2 Captain	28th Bn.				NRB Attack at Hooge
25 AITKEN	ROBERT JAMES	RJ		13-06-16	2 Captain	1st Bn.				NRB Ypres Salient - check war diary for location
26 McKINNEY	DANIEL JOSEPH	D.J		13-06-16	2 Captain	1st Bn.	"A" Coy.		Kipling!	Trench 47 S side Mount Sorrel, grave in Sancturay Wood Lost
27 VAN DER SMISSEN	WILLIAM HENRY VICTOR	WHV		13-06-16	2 Captain	3rd Bn.	"C" Coy.			Mount Sorrel 28.1.30.a.8.2
28 MUIRHEAD	WILLIAM ROBERT	WR		26-10-17	2 Captain	4th CMR				W of Passchendaele NRB, probably 28.D
29 BROTHERTON	TOM	F	DCM	29-10-17	2 Captain	CMGC	No. 1 Coy.			Hamburg Corner 28.0.16.b.60.62
30 EATON		LC	Notice Control of the	29-10-17	2 Captain	5th CMR			12997	Vicinity Passchendaele
31 CLAYTON	EDWARD REGINALD	ER	MC	30-10-17	2 Captain	85th Bn.		E.6	13800	South of Passchendaele
32 IRELAND	RICHARD ALFRED	RA		30-10-17	2 Captain	CAMC at'd 5 CMR	R		12997	ADS Pill Box W Passchendaele
33 JOHNSON	MELVIN OHIO	MO		30-10-17	2 Captain	5th CMR			12997	SW of Passchendaele
34 MORRIS	WILLIAM HUGOE	M W	MC	30-10-17	2 Captain	PPCLI	No. 1 Coy.		12997	W of Passchendaele at jump off
35 GILSON	WILLIAM	W		06-11-17	2 Captain	1st Bn.				Meetcheele 28.D.5.c.88.98
36 RUSSELL	RICHARD EASTON	RE		06-11-17	2 Captain	26th Bn.				S of Passchendaele, hit twice!
37 WILSON	SIDNEY H.	SH		07-11-17	2 Captain	27th Bn.				NRB
38 MOGG	CYRIL KNOX BARROW	CKB		11-11-17	2 Captain	7th Bn.				28.C.28.b Wieltie after Passchendaele

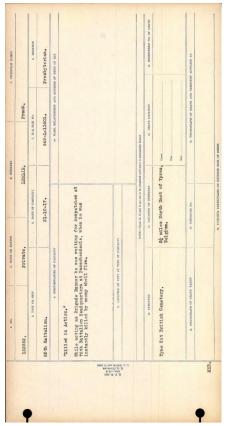
Commonwealth War Graves Commission. *Graves Registration Report Form.* http://archive.cloud.cwgc.org/archive/doc/doc/1833661.JPG



Commonwealth War Graves Commission. *Concentration of Graves (Exhumations and Reburials) Burial Return*. http://archive.cloud.cwgc.org/archive/doc/doc/doc2155491.JPG

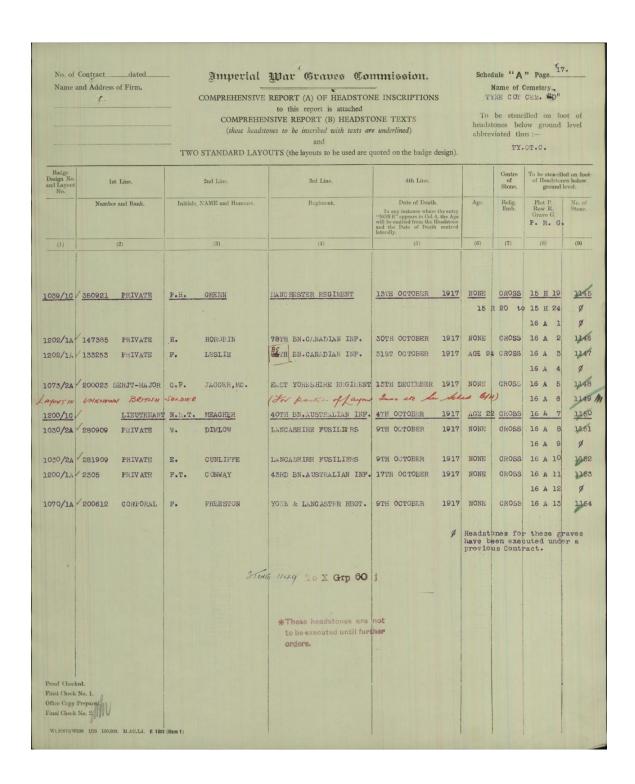






Captain E. R. Clayton

Commonwealth War Graves Commission. *Comprehensive Report of Headstone Inscriptions*. <a href="http://archive.cloud.cwgc.org/archive/doc/doc/doc/1862763.JPG">http://archive.cloud.cwgc.org/archive/doc/doc/1862763.JPG</a>



Memorial Inscription at Ypres (Menin Gate) Memorial. Canadian Virtual War Memorial <a href="http://www.veterans.gc.ca/eng/remembrance/memorials/canadian-virtual-war-memorial/detail/922878?Edward%20Reginald%20Clayton">http://www.veterans.gc.ca/eng/remembrance/memorials/canadian-virtual-war-memorial/detail/922878?Edward%20Reginald%20Clayton</a>



This "Reporting and Review" attachment is provided to assist all parties in the submission of an investigative report related to the identification of the burial location, or headstone markings, of a member of the Canadian Expeditionary Force (CEF) during the Great War 1914-1921. The Commonwealth War Graves Commission (CWGC) receives a copy of this report in the event they wish to make changes to the commemoration details. In order to alter the records, the CWGC has set out their criteria for the procedure and submission of cases for review, as detailed below. The CWGC is under no obligation to make changes based on a report.

#### **Procedure:**

All new identification cases need to be assessed in the first instance by the Canadian Agency (CA) and submissions should go to their office directly. After an initial assessment, if the Agency feels that the case is compelling, they will then pass all the documentation to the Commemorations Team at the Commission's Head Office. Head Office will then review the case and inform the CA of their findings. The Canadian authorities will then decide whether or not any changes to the arrangements for commemoration are required and inform the Commission accordingly.

#### **Guideline Criteria for Submission:**

Cases need to present clear and convincing evidence to prove the identity of a casualty and must not be based on assumption or speculation. The Commission's Commemoration Team will also consider whether the findings of a better informed contemporary investigation are being revisited and if there is any new evidence to consider. By way of example, it is unlikely that the Commission would support a revision of the arrangements for the commemoration where it is apparent that no new evidence is being presented and, a better informed previous decision is being revisited some 100 years later.

The following have participated in the preparation, review and submission of this report on a voluntary basis. Those noted below have read the investigative report and compared it to the criteria set out by the CWGC, as a guiding principle, and have agreed to have their name included as part of the review team. The CWGC may contact any of the reviewers at the e-mail address provided below.

Name	Affiliation	E-mail	Contribution
Richard Laughton	Private Researcher LMC Great War Research Company	rlaughton@laughton.ca	Report Author
			Reviewer

### Note:

As reported herein, the original findings on the identification of Captain Edward Reginald Clayton were made by researcher and author Norm Christie. The finding is reported on page 198 of "Sacred Places: Volume 1: Belgium". It is our belief that a formal report was not filed by Christie.